

Jones, J

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORKDEBORAH D. PETERSON, Personal
Representatives of the Estate of James C.
Knipple (Dec.), et al.

Plaintiffs-Judgment Creditors,

v.

ISLAMIC REPUBLIC OF IRAN et al.,

Defendants-Judgment Debtors.

Civil No.: 18 Misc. 302 (BSJ)

Civil Action No.: 01-2094 (RCL) and
1-2684 (RCL)(D.D.C.)**ORDER TO SHOW CAUSE
FILED UNDER SEAL SUBJECT
TO PROTECTIVE ORDER**

UPON the annexed affirmation of Liviu Vogel, sworn to on May 28, 2009; the exhibits attached thereto; the accompanying memorandum of law; the accompanying proposed order; and upon all the prior pleadings and proceedings heretofore had herein,

LET Citibank N.A. ("Citibank"), Clearstream Banking S.A. ("Clearstream"), and the Defendants-Judgment Debtors show cause before this Court ^{in Room 17C} at the Courthouse located at 500 Pearl Street, New York, New York 10007, on the 29 day of July, 2009, at 2:30 pm or as soon thereafter as counsel can be heard, why an Order should not be issued:

- (i) Pursuant to Rule 69 of the Federal Rules of Civil Procedure and N.Y. C.P.L.R. §5222(c), granting leave to the Plaintiffs to serve an additional restraining notice on Citibank and Clearstream with respect to the Judgment entered on September 9, 2007 in the amount of \$2,656,944,877.00, in favor of the Plaintiffs and against the Defendants; or alternatively,
- (ii) Pursuant to Federal Rule 69 of the Federal Rules of Civil Procedure and N.Y. C.P.L.R. §5240, for a protective order extending the duration of Plaintiffs'

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restraining notice addressed to Citibank dated June 16, 2008 served on June 17, 2008, and amended restraining notice dated June 20, 2008 served on Citibank on June 24, 2008, Plaintiffs restraining notice addressed to Clearstream dated June 16, 2008, served on June 17, 2008 and amended restraining notice dated June 20, 2008 served on Clearstream on June 24, 2008, respectively, beyond the one year statutory duration and until the earlier of a further order of this Court, or a final determination is made by this Court in a turnover proceeding that the restrained securities and their proceeds and other property referenced within the aforementioned restraining notices are to be transferred to Plaintiffs in partial satisfaction of their judgment; and.

(iii) Granting such other and further relief as this Court deems just and proper.

IT IS HEREBY ORDERED that, pending the hearing and determination of this motion that Plaintiffs' restraining notice addressed to Citibank dated June 16, 2008 served on June 17, 2008, and amended restraining notice dated June 20, 2008 served on Citibank on June 24, 2008, Plaintiffs restraining notice addressed to Clearstream dated June 16, 2008, served on June 17, 2008 and amended restraining notice dated June 20, 2008 served on Clearstream on June 24, 2008, as such restraints further amended by this Court's June 27, 2008 Final Order and all other restraints remain in full force and effect and that pursuant to Rule 69 of the

Rules of Civil Procedure and N.Y. C.P.L.R. §5222(b) that Citibank and Clearstream be enjoined and forbidden to make or suffer any sale, assignment, or transfer of, or any interference with any of the restrained monies, assets, or debts of the Judgment Debtors or pay over or otherwise dispose of any debt to the Judgment Debtors. ~~ORDERED THAT SECURITY~~

~~IN THE AMT OF \$ _____ BE POSTED BY _____~~

SUFFICIENT REASON APPEARING THEREFOR, let service of a copy of this Order to Show Cause, together with all the papers upon which it is based, by Federal Express upon the attorneys for Citibank and Clearstream and by regular mail upon His Excellency Mahmoud Ahmadinejad, the President of the Islamic Republic of Iran, at Palestine Avenue, Azerbaijan Intersection, Tehran, Islamic Republic of Iran on behalf of all of the Defendants-Judgment Debtors on or before the 2 day of June, 2009 be deemed good and sufficient service thereof. Opposition papers, if any, to the current application are to be served on Plaintiffs' counsel, Salon Marrow Dyckman Newman & Broudy, LLP., on or before June 15, 2009. Reply papers, if any, in further support of to the current application are to be served in the same manner as service is required of this order to show cause not less than one day before the return date set forth herein.

No bond is required. b2j.

ISSUED: May 29, 2009

At: NYC, NY

*At: New York
New York*

ENTER

Barbara S. Jones
Honorable Barbara S. Jones
United States District Court Judge

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